

Independent Claim 11:

With regard to the Applicant's arguments presented on page 8 and 9 of the last Response filed on November 1, 2007, regarding Chang's disclosure, col. 4, lines 62-67, regarding delivering only the message without the attached document when the designated message includes an unusually long document attached to the message and how such is completely different from the features of claim 11 regarding not transmitting the new mail notification if no attachment is present in the received E-mail, the Examiner takes the position, in the second paragraph on page 2 of the outstanding Action, that claim 11 actually calls for not transmitting the electronic mail of the new mail notification and it fails to concern not transmitting the new mail notification if no attachment is present.

However, independent claim 11, as amended, now calls for *means for transmitting determines not to transmit the new mail notification by the push method protocol when the received electronic mail is an electronic mail not attached with an attached file.*

In view of such amendments to claim 11, Applicant submits that it is now clear that Chang's disclosure in col. 4, lines 62-67, regarding delivering a message without an attached document is completely different from not transmitting the new mail notification if no attachment is present in the received E-mail.

Accordingly, it is submitted that Chang fails to disclose or fairly suggest the features of independent claim 11 concerning *means for transmitting determines not to transmit the new mail notification by the push method protocol when the received electronic mail is an electronic mail not attached with an attached file.*

In addition, claims 12 and 15 have been amended in order to correspond with the amendments made in claim 11.

Independent claim 1:

With regard to Applicant's previous arguments that Chang and Wakasuga fail to disclose not sending a new mail notification when the received E-mail is a reception confirmation mail of an E-mail transmitted previously, the Examiner argues in the first paragraph on page 2 of the outstanding Action, the following:

Chang in view of Wakasugi do disclose this through not sending, though the push method, low priority confirmation messages, where a user can specify what is and is not low priority. The ability to specify not pushing low priority messages, as shown by Chang in view of Wakasugi, is to avoid flooding the user with undesired/low priority mail, said undesired/low priority claimed by Applicants as 'reception confirmation mail of a e-mail transmitted previously'.

However, while Chang may disclose that a consumer can filter messages via filters 241 and 243 such that consumers may choose to have only the highest priority message delivered and that event notifications sent to the consumer can also be filtered so that only consumer designated event notifications are sent via a push process to the

consumer terminal, it is respectfully submitted that the Examiner has failed to establish that a consumer in the Chang reference would designate a new mail notification of a reception confirmation mail of electronic mail transmitted previously as a low priority confirmation message. That is, the Examiner has failed to rely on any specific disclosure in the Chang reference for supporting his position that receiving a new mail notification of a reception confirmation mail of electronic mail transmitted previously would be a low priority confirmation message chosen by the consumer.

In addition, it is also respectfully submitted that the Wakasugi reference also fails to provide any support for the Examiner's position that a new mail notification regarding a received confirmation of an E-mail transmitted previously would constitute a low-priority confirmation message. That is, it is submitted that the Examiner has failed to rely on any specific portion of the Wakasugi for supporting his position.

Moreover, it is respectfully submitted that the Wakasugi reference explicitly teaches away from the Examiner's position, since Wakasugi clearly discloses in step S402 in the flowchart of Fig. 10 that mail notification of the reception of delivery confirmation mail or notification mail is sent to a notification address. That is, it is respectfully submitted that Wakasugi clearly discloses that the reception of delivery confirmation E-mail is a high priority since a mail notification regarding reception of delivery confirmation E-mail is sent to a notification address. Accordingly, it is

respectfully submitted that the Examiner's reliance on the secondary reference of Wakasugi actually teaches away from the Examiner's assertion that a consumer would designate receiving a new mail notification of a reception confirmation E-mail transmitted previously as a low priority.

Independent claim 5:

Dependent claim 5 calls for *means for registering whether or not to carry out the new mail notification to each of a plurality of electronic mail addresses wherein the means for transmitting determines whether or not to carry out a new mail notification in accordance with registered contents of the means for registering.*

For example, as shown in Fig. 4 of the present application, the mailbox management table 160 stores information such as mailbox numbers 151, 152 for each of the mailboxes within the mailbox 150, electronic mail addresses for each of the mailbox numbers, names of each of the devices and information which designates whether or not to carry out a new mail certification to each of the devices.

With regard to claim 5, the Examiner acknowledges in item 10, page 7 of the Action, that Chang and Wakasugi fail to disclose the features of claim 5. In order to compensate for the above-noted drawbacks and deficiencies of the Chang and Wakasugi

references, the Examiner relies on the disclosure at col. 11, line 59 through col. 12, line 10 of the secondary reference of Boyle.

However, it is respectfully submitted that the above-noted portion of the Boyle reference, which the Examiner relies upon for teaching the features of claim 5, fails to disclose or fairly suggest registering whether or not to carry out the new mail notification to **each** of a plurality of electronic mail addresses. That is, it is respectfully submitted that Boyle is silent with regard to registering whether or not to carry out the new mail notification to each of the plurality of electronic mail addresses stored in the mailbox in a mail server, as called for in claim 5.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

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Response
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If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'TEB', is written over the printed name of Thomas E. Brown.

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